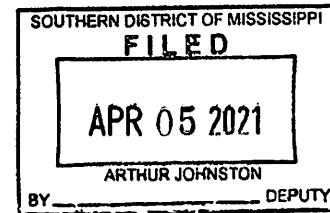


## AFFIDAVIT IN THE FORM OF A GROUP RESPONSE IN OPPOSITION AND OBJECTION

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

SITCOMM, ET AL

v.

Case No.: 2-19-cv-00193-TMB-MTP

[P]ENNYMAC ('[P]...Mac'), ET AL

**CLASS FILING-MEMBERS OF A GROUP, An Affidavit- "Affidavits" *United States v. Kis*, 658 F.2d 526, 536 n.28 (7th Cir. 1981) ("Affidavits are often the only supporting evidence for the issuance of a search or arrest warrant, which, as noted above, requires a higher standard of proof. Affidavits alone should therefore certainly be sufficient to prove a *prima facie* case in summons enforcement proceedings.")**

## I. INTRODUCTION

A. The court must acknowledge and recognize the following it appears is a fundamental requirement in instances of receiving documents from those who are incarcerated. For the court highlighted that the principal was incarcerated in Chino California, the mailing envelope shows that it was sent from Chino California and the correctional institution for men.

a. A "notice of appeal by a prisoner, in the form of a letter delivered, well within the time fixed for appeal, to prison authorities for mailing to the clerk of the district court [was] timely filed notwithstanding that it was received by the clerk after expiration of the time for appeal," on the ground that "the appellant 'did all he could' to effect timely filing." After citing three other decisions—two of which involved notices of appeal misdirected by pro se inmates—the Note observed that the Supreme

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Court's opinion in *Coppedge v. United States* had cited "[e]arlier cases evidencing 'a liberal view of papers filed by indigent and incarcerated defendants.'" The inclusion of these citations in the Committee Note reflected a deliberate choice by the Committee. Moreover, the Committee's discussion of the Note indicated an expectation that the principles reflected in the Note would stand in for more explicit Rule text directing liberal treatment of attempts to file a notice of appeal.

- FED. R. APP. P. 3 advisory committee's note to original Appellate Rule 3 (1968) (quoting *Fallen*, 378 U.S. at 144), in 43 F.R.D. 61, 126 (1968).
- The Committee Note cited *Richey v. Wilkins*, 335 F.2d 1 (2d Cir. 1964) for the proposition that a "notice filed in the court of appeals by a prisoner without assistance of counsel" sufficed, and *Riffle v. United States*, 299 F.2d 802 (5th Cir. 1962) for the proposition that a "letter of [a] prisoner to [a] judge of [the] court of appeals" sufficed. FED. R. APP. P. 3 advisory committee's note to original Appellate Rule 3 (1968), in 43 F.R.D. 61, 126 (1968).
- FED. R. APP. P. 3 advisory committee's note to original Appellate Rule 3 (1968) (quoting *Coppedge v. United States*, 369 U.S. 438, 442 n.5 (1962)), in 43 F.R.D. 61, 126 (1968).

B. It would appear by revealed the record that the clerk of the court did receive the

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filings that was postdated accordingly. We must also note that PennyMac did not provide proper service upon the parties as required by law. This court it appears is attempting to rely on inaccurate record and a misinterpretation of “**the mailbox rule**” and we must object.

C. The court is requested to revisit the filing, and acknowledgment of the inmate status of incarceration Brett Jones i.e. Eeon, and that there is no proper service, there is no proof that he was properly served, yet he by responding, acknowledge his waiver of service, and the court must acknowledge such and reverse its decision under rule, as response was timely.

**II. The presentment's are timely and must be un-stricken:**

D. The presentment so presented to the court are an affidavit form, even if it could be presumed that Mr. Jones was or was not a party to the matter, it does not negate the signatures and filing by the other members.

E. **However, ‘the court’, and the attorneys for ‘[P]...Mac’, continue to send misaddressed and harassing materials to Brett “Eeon” Jones at his official address of record, and although he has informed them to cease-and-desist such practices they have violated the decorum and the ethical practices of due process and communication. He has given them an opportunity to correct their defect, and they have ignored the principles stated at next,**

This conduct amounts to a violation of due process and the denial of the right to access the Court and to a fair and impartial trial as prescribed by the Bill of Rights of the United States of America Constitution, and we, we object!

F. We have the right to enter this court in our proper persons, and we do so *sui juris*,

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if there is an objection let it be so stated on the record and let proof along with facts and conclusions of law be associated thereto. *Haines v. Kerner* (92 S.Ct. 594). The respondent in this action is a nonlawyer and is moving forward in Propria persona.

G. Brett "Eeon" Jones is a competent non-lawyer and cannot be interfered with and assisting and helping members of his class-group in these court proceedings, please stop interfering with our due process bill of rights ---- *NAACP v. Button* (371 U.S. 415); *United Mineworkers of America v. Gibbs* (383 U.S. 715); and *Johnson v. Avery* 89 S. Ct. 747 (1969).

**Members of groups who are competent nonlawyers can assist other members of the group achieve the goals of the group in court ...."**

H. This assistance will be provided the members by the members of the group during all judicial proceedings- *Brotherhood of Trainmen v. Virginia ex rel.* Virginia State Bar (377 U.S. 1); *Gideon v. Wainwright* 372 U.S. 335; *Argersinger v. Hamlin*, Sheriff 407 U.S. 425. Litigants may be assisted by unlicensed layman during judicial proceedings.

I. We will continue to rely on Supreme Court precedent, the supreme law of the land which is United States of America Constitution, the Federal Arbitration Act, the Clearfield Doctrine, PRESIDENTIAL PROCLAMATION 2039, MARCH 9, 1933 ACT, the JUNE 5 & 6, ACT of 1933, and the JUDICIAL IMMUNITIES DOCTRINE throughout these proceedings (this would include all reference notes, records, and other discussions associated and or related thereto any of the aforementioned)- *Howlett v. Rose*, 496 U.S. 356 (1990) Federal Law and Supreme Court Cases apply to State Court Cases

J. It is believed that the court, construes each one of the presumed non-lawyered parties to be incompetent, so since it has been held that a nonlawyer can speak on behalf of members of their group we each stand as competent nonlawyers on the behalf of the presumed

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non-competent nonlawyers- Federal Rules Civil Proc., Rule 17, 28 U.S.C.A. "Next Friend" A next friend is a person who represents someone who is unable to tend to his or her own interest...

K. The Age of majority act states that a minor is a ward of the court, we act as next friend of all incompetent wards related in this matter and any incompetent ministerial clerks... "If an infant or incompetent person does not have a duly appointed representative he may sue by his next friend or by a guardian ad litem."... "Ministerial officers are incompetent to receive grants of judicial power from the legislature, their acts in attempting to exercise such powers are necessarily nullities." *Burns v. Sup., Ct.*, SF, 140 Cal. 1.

L. We have brought claims against judicial officers of this court, hold have ignored our filing, have failed to respond and are in default. We have requested default judgment against them since the clerk of the court has refused to document the default. Our claims were based upon the bad behavior while in office of these officials and their default substantiates such claims- *Warnock v. Pecos County*, Tex., 88 F3d 341 (5th Cir. 1996) Eleventh Amendment does not protect state officials from claims for prospective relief when it is alleged that state officials acted in violation of federal law.

M. In bringing such claims against judicial officials, the Atty. Gen. for the United States, the United States Postal Service, we do so as private attorney generals as cognizable in law - Title 42 U.S.C. Sec. 1983, *Wood v. Breier*, 54 F.R.D. 7, 10-11 (E.D. Wis. 1972). *Frankenhauser v. Rizzo*, 59 F.R.D. 339 (E.D. Pa. 1973). "Each citizen acts as a private attorney general who 'takes on the mantel of sovereign',"

**III. The Right to Use Case Cites The Same As Any Other:**

N. in quite of few presentment's by the court and by the unlawfully licensed

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attorneys of '[p]...Mac', (each of these attorneys were so-called licensed unlawfully to practice law, were made parties to this matter in the counterclaim/countersuit, and are each of them in default for failing to respond although proof of service remains on the record and request for default having been ignored by the clerk, we requested default judgment only to be ignored by the court) have presented documents with case cites on which they rely upon.

O. It is to be noted that when the petitioner's include case site and their presentment's, they are wholly ignored.

P. Equal protection of law says that if the court through its officers are going to accept presentment's from one party, and or issue its own presentment's relying on case cites as authorities, it cannot ignore the very same presentment's which relies on case cites that are precedent of superior and greater weight. The practice of the honorable court is in violation of due process, the law, the administrative procedures act and we object.

**IV. Concluding statement:**

Q. we are being sued as a group and that the claim is not that an individual member did anything illegal or wrong, but that the individual members acted in conspiracy to commit an act that is perceived illegal or wrong.

R. This would permit and/or allow us to file our response that answers as a group according to the principles and rule, does it not?

S. The payment of the filing fee as a group was present at the court without objection back in October, we object to any challenge for such practice now seven months later.

T. We also objected to combining civil litigation with the Federal arbitration act

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subsection 6, 9, 10, 11, 12, or 13. There are no provisions and/or exceptions in the act for such a divergence, and we would need the court to place such a provision on the record evidencing the authority supporting its conduct to position and reference this matter.

U. We do hereby bring forth our objections and challenge to the fees being charged by the court as such violates the Double Jeopardy Clause of the Bill of Rights of the Constitution for the United States of America. The court receives by way of taxes paid by the presenters, it's annual budget from Congress. The court cannot claim that that annual budget does not include the cost of litigation and/or arbitration and confirmation and/or arbitration vacatur. So the filing fee has been paid in advance and the claim for additional fee's is double penalty/taxation and we object!

V. On the issue of striking affidavits, as mentioned throughout, and affidavit cannot be stricken unless it is properly rebutted. To this day there has been no proper rebuttal of a single affidavit by and party, and we object to the presumption that there has been.

Normally through the judicial administrative agent, the officer of these court's specifically, like's that someone places a statement, stating what they are requesting either this or that at the conclusion of their presentment, please note that our affidavits are all-inclusive, we include what we are attempting, along with our objections throughout, documenting the record for appeal, I.E. non-strikable. We also note that to the present day no party has rebutted a single affidavit point by point on the record as required in law *United States v. Kis*, 658 F.2d 526, 537 (7th Cir. 1981) ("The assertions by affidavit of a valid civil purpose are adequate to show a *prima facie* case that would support the issuance of a show cause order."), and that the rebuttal period having passed on each one, PennyMac is time-barred, and realizing their error, they are

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attempting to conspire with the judicial officer('s) to involve the court in a conspiracy against the rights of citizens of the United States of America, which is illegal, and we object.

**AN ALL-INCLUSIVE VERIFICATION**

The aforementioned information is wholly accurate, attested as such, witnessed by and before the true God Jehovah under penalty of divine retribution if otherwise. This is placed before this body on this 30<sup>th</sup> day of March 2021 as such will help us God."","'","...,"



s:/ Sandy Goulette  
s:/ Sitcomm Arbitration Association  
s:/ "Eeon"  
s:/ Mark Johnson  
s:/ Rance Magee  
s:/ Kirk Gibbs  
s:/ Ronnie Kahapea  
s:/ Alaric Scott  
s:/ Brett Jones  
s:/ Mark Moffett

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ALL-PURPOSE PROOF OF SERVICE

I, Brett Eeon Jones, being at or above the age of 18, of the majority and not a party to the action, citizen of the United States of America, did mail the aforementioned by placing it in an envelope addressed to: Name and address:

United States District Court  
201 Main Street  
Hattiesburg, Mississippi 39401

U.S.P.S. Tracking No. 9405511699000735628442

Upshaw, Williams, Biggers, & Beckham, LLP  
309 Fulton Street  
Post Officer Drawer 8230  
Greenwood, Mississippi 38935-8230

U.S.P.S. First Class Mail

Blank Rome, LLP  
2029 Century Park East, 6th Floor  
Los Angeles, California 90067

U.S.P.S. First Class Mail

Affixing the proper postage and depositing it with the local postal carrier, also being of the age of the majority, and not a party to this action who upon receipt guarantees delivery as addressed and/or local drop box guaranteeing the same as prescribed in law. If called upon I provide this sworn testimony based on first-hand knowledge of the aforementioned events attesting and ascribing to these facts on this day March 31, 2021.

-  
/s/ Brett Eeon Jones